

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

United States Courts  
Southern District of Texas  
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of TEXAS

Houston Division

JUN 12 2020

David J. Bradley, Clerk of Court

Case No.

**4:20cv2084**

(to be filled in by the Clerk's Office)

RAYMOND CARR

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

HOUSTON POLICE CHIEF ART ACEVEDO, ET AL

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

## Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which  
you have been known:

ID Number

Current Institution

Address

Raymond EARL CARR  
00700984  
1200 BAKER ST. JAIL  
HOUSTON TEXAS  
City State Zip Code

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

## Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

ART ACEVEDO  
CHIEF OF HOUSTON POLICE  
HOUSTON POLICE DEPARTMENT  
HOUSTON TEXAS  
City State Zip Code  
☒ Individual capacity ☒ Official capacity

## Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

ED GONZALEZ  
CHIEF OF HARRIS County Sheriff's Dept.  
HARRIS County Sheriff's Dept.  
HOUSTON TEXAS 77002  
City State Zip Code  
☒ Individual capacity ☒ Official capacity

## Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

## Defendant No. 3

Name  
Job or Title (if known)  
Shield Number  
Employer  
Address

HARRIS HEALTH DEPARTMENT  
MENTAL HEALTH DEPARTMENT  
HARRIS COUNTY  
1200 BAKER ST  
HOUSTON TEXAS 77002  
City State Zip Code  
☒ Individual capacity ☒ Official capacity

## Defendant No. 4

Name  
Job or Title (if known)  
Shield Number  
Employer  
Address

RENE VILLALOBOS  
GRIEVANCE SUPERVISOR  
HARRIS COUNTY SHERIFF DEPT  
1200 BAKER ST  
HOUSTON TX 77002  
City State Zip Code  
☒ Individual capacity ☒ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

## A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

## B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

42 USCA 1985-1986 1st, 8th, and 14th AMENDMENT U.S. CONSTITUTION

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

## III. Prisoner Status

By continuing on-going complained of civil conspiracy to deprive me of my civil and constitutional rights? SEE CARL V. ED GONZALEZ, ETAL pending 5th CIRCUIT COURT OF APPEALS

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☐ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner  
☐ Other (explain) \_\_\_\_\_

## IV. Statement of Claim

Pages

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

THE EVENTS GIVING RISE TO THE CLAIM AROSE AT MY RESIDENT AT 4409 DENMARK UNIT C HOUSTON, TX 77016

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

THE CONSPIRACY ACTION CONTINUED WHEN I WAS BOOKED INTO THE COUNTY JAIL

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C. What date and approximate time did the events giving rise to your claim(s) occur?

Around the month of April 2020, upon my FIRST PAVE ARREST by  
HPD AT Family Dollar store off HARK Rd & Tidwell / Houston, Texas

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

On going RACIST CONSPIRACY  
ACTION TO DEPRIVE ME OF MY LIFE, LIBERTY, AND PROPERTY ARBITRARY  
IN VIOLATION OF EQUAL PROTECTION AND DUE PROCESS OF LAW by THE  
HOUSTON POLICE DEPARTMENT, HARRIS COUNTY SHERIFF'S DEPARTMENT, AND  
HARRIS HEALTH SYSTEM.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

PHYSICAL AND MENTAL, EMOTIONAL ANGUISH  
FROM THE ON-GOING ABOVE AND UNEQUAL TREATMENT FROM DEFENDANT STARTING  
FROM MARCH 2018, MY FIRST PAVE ARREST AND 54 days of ILLEGAL  
INCARCERATION

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

FOR THE ON-GOING CONSPIRACY AND RETALIATORY  
ACTION DONE BY DEFENDANT TO DELIBERATELY AND INTENTIONALLY CAUSE LOSS OF FREEDOM,  
FRIENDS, PROPERTY I AM REQUESTING COMPENSATORY DAMAGES IN THE AMOUNT OF \$500,000  
AND PUNITIVE DAMAGES IN 1,000,000 PLUS COURT COSTS AND ATTORNEY FEES.

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**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- ☐ Yes  
☒ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

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B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- ☒ Yes  
☐ No  
☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- ☐ Yes  
☐ No  
☒ Do not know

If yes, which claim(s)?

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☒ Yes

☐ No

- E. If you did file a grievance:

1. Where did you file the grievance?

HARRIS County Jail

2. What did you claim in your grievance?

RACIST CONSPIRACY by (HPD) and HARRIS County SHERIFF'S DEPT.

3. What was the result, if any?

GRIEVANCE UNDER INVESTIGATION by INTERNAL AFFAIRS Division

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

NA

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

NA

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

NA

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

PENDING GRIEVANCES & APPEALS

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

IF YES, should be allowed to bring this action due to DANGER OF IMMINENT SERIOUS physical & MENTAL injury



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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

RAYMOND CARR

Defendant(s)

Ed GONZALEZ, ET AL

2. Court (if federal court, name the district; if state court, name the county and State)

SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION

3. Docket or index number

?

4. Name of Judge assigned to your case

?

5. Approximate date of filing lawsuit

?

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Pending in 5th Circuit Court of Appeal

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☒ Yes

☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

unknown

Defendant(s)

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition

unknown

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

All dismissed

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**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: JUNE 9, 2020

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Raymond Earl Carr  
RAYMOND EARL CARR  
00700984  
1200 BAKER ST  
HOUSTON TX 77002  
City State Zip Code

**B. For Attorneys**Date of signing: JUNE 9, 2020

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip Code

Telephone Number

E-mail Address

\_\_\_\_\_  
 \_\_\_\_\_

Continued From page 4 - 10

## STATEMENT OF CLAIM

THIS RACIST CIVIL CONSPIRACY AND RETALIATORY ACTION FIRST STARTED UPON MY RELEASE FROM TDC IN DECEMBER 21, 2017, TO THE SALVATION ARMY OF FULTON/MAIN WHERE I FIRST FILED A 1983 LAWSUIT ON THE STAFF AND RESIDENTS OF THAT FACILITY. I WAS ON-GOINGLY SUBJECT TO HARRASSMENT AND ABUSE FROM CITIZEN CO-CONSPIRATORS, GOVERNMENT AGENCIES, AND EMPLOYEES THAT CAUSED ME TO LOSE JOBS WHICH I FILED DOZENS OF COMPLAINTS THAT LEAD INTO ON-GOING RETALIATION FROM CITIZENS AND CONFRONTATIONS THAT LEAD INTO FALSE ALLEGATIONS/ILLEGAL INCARCERATION FROM THE HOUSTON POLICE DEPARTMENT. MY FIRST FALSE ALLEGATION WAS ON MARCH 10, 2018, AT MY RESIDENT AT NEW HOPE HOWING OFF WEAVER RD / LOCKWOOD WHERE I REPEATEDLY CALLED (911) ABOUT THE HARRASSMENT I WAS RECEIVING FROM THE MANAGEMENT AND RESIDENTS OF THE APARTMENT. THE SECOND RACIST CONSPIRACY RETALIATORY ACTION I RECEIVED FROM THE HOUSTON POLICE DEPARTMENT HAPPENED AROUND MARCH-APRIL 2020, AT FAMILY DOLLAR OFF ITHRO RD / TIDWELL WHERE A BLACK FEMALE STORE MANAGER FIRST INCITED A MEXICAN EMPLOYEE TO VIOLENTLY ASSAULT ME THAT I DIDN'T REPORT BUT ONE DAY AROUND SAY MOUTH I DID CONFRONT A FEMALE BLACK STORE MANAGER ABOUT THE INCIDENT AND SHE REACTED BY PULLING A GUN ON ME AND KICKING MY CAR THEN HER AND HER TWO FRIENDS VIOLENTLY ASSAULTED ME LEAVING ME WITH VARIOUS INJURIES.



I AGAIN CALLED (911) AND REPORTED THE INCIDENT AND RACIST WHITE OFFICERS WERE DISPATCHED AND WERE UNREASONABLE AND REFUSED TO VIEW THE CAMERA AT THE STORE TO CONFIRM MY ALLEGATIONS WERE TRUE AND CORRECT. I WAS THEN ARBITRARILY ARRESTED FOR ASSAULT AND MY CAR TOWED TO THE HANDY TOW FACILITY WHERE MEXICAN MANAGEMENT DELIBERATELY AND INTENTIONALLY KNOCKED A HOLE IN MY ENGINE BLOCK IN AN ATTEMPT TO BLOW MY ENGINE BUT WHEN MY CHECK ENGINE LIGHT CAME ON I STOPPED THE CAR AND REPAIRED THE DAMAGE. BETWEEN MARCH - MAY 2020, I REPEATEDLY CALLED (HPD) TO REPORT THE MALICIOUS ACTIONS OF MY ROOMMATE ANTOINELL SCOTT TO TRY AND HAVE HER EVICTED BECAUSE OF HER THREATS OF VIOLENCE TOWARDS ME AND THE DANGEROUS COMPANY SHE ENTERTAINS DAY & NIGHT THAT I FELT MY LIFE AND WELL-BEING WAS IN DANGER. EACH TIME (HPD) WAS UNCOOPERATIVE AND ONCE DETAINED ME IN AN ATTEMPT TO TRY TO CONVINCE ANTOINELL SCOTT TO FILE FALSE CHARGES OF ASSAULT AGAINST ME BUT SHE REFUSED TO DO SO BUT USED THIS TO BLACKMAIL ME TO COMPLY WITH HER DEMANDS. AT OTHER TIMES (HPD) OFFICERS WOULD TELL ME TO GO TO THE CIVIL COURTHOUSE ON WALLISVILLE RD TO START THE EVICTION PROCESS AND I COMPLIED BUT TWICE I WENT AND THE COURTHOUSE WAS CLOSED DUE TO THE COVID-19 VIRUS AND THE OFFICERS REFUSED TO ALLOW ME TO TALK TO ANYBODY BUT THREATENED TO ARREST ME FOR TRESPASS IF I DIDN'T LEAVE THE PREMISES.

6

Also I called the Harris County Constable's Office to dispatch an officer to my residence to resolve the eviction issue but the Mexican dispatched and officials refused to do so. This negligence in conduct and reckless endangerment lead into another false arrest/illegal incarceration by the Houston Police Department & Harris County Jail officials. On May 6, 2020, I called (911) for the fifth-time regarding my roommate Antoinell Scott (note the fourth-time I called the a Mexican & Black (HPD) officer was dispatched and Antoinell Scott told them after she see her parole officer at the residence she would leave for good and not come back, and we agreed, and the officers told me not to say anything to her and gave me a incident report and left. As soon as the officers left Antoinell Scott entered my room as I was talking to my girlfriend Brady verbally abusing me hitting the table with her fists and my girlfriend told me to leave out the house until she leave and I complied.) On May 6, 2020, around 2-3:00 AM Antoinell Scott came back to my apartment with two - black males and one black female I called (HPD) on the day before for entering my apartment with the key my roommate gave her without my consent, when I open the door and see her company outside I told her I don't want them in my apartment, she then brut open the door and push me aside and told one man to follow her to her room,

The other man attempted to come in but I told him not too, he then crushed me out and called me outside to fight him then stated he had a gun in his truck. I then reacted by breaking her door open and breaking her TV with my hammer then called (911) before they attempted to kill me. Then one white (HPD) officer showed-up but refused to talk to me and instead went and talked to them, then came back and told me I was under arrest. I resisted for a minute and was lightly beaten by two-Mexican and the white officer. The white officer told me I was being arrested for interference but later I found out he distorted the police report in a conspiratorial attempt to charge me with a more serious offense. When I went to probable cause court the judge told me I was being detained for burguallly with intent to commit theft but when I spoke-up and told the judge they should release me because they didn't have probable cause to arrest or detain me for that charge because the lease to the apartment was in my name, she then ordered me to leave the courtroom and schedule me to come back at 4:00 AM. And when that time came I asked a white officer to take me back to court so the judge can establish the charge, set me a bond-hearing or release me.



BUT THE WHITE OFFICER REFUSED, AND WHEN I ASKED FOR RANK, I WAS GRABBED BY THE ARM AND SHIRT AND DRAG TO A HOLDING CELL WHERE THE OFFICER PLANNED ME AGAINST THE WALL PUT THE HANDCUFFS ON EXTREMELY TIGHT KICK MY LEGS APART REPEATEDLY AND CHANTED WHAT YOU GONNA DO. HE THEN TOOK THE HANDCUFFS OFF AND CALLED ME A PUNK AND LEFT. THREE HOURS LATER I ASKED HIM AGAIN TO TAKE ME TO COURT AND HE REPEATED THE APPAULTIVE MISCONDUCT AND LEFT ME IN THE HOLD OVER CELL UNTIL CHARGE CHANGED. WHEN CHARGE CHANGED AN OFFICER CAME AND TOOK ME TO DRESS OUT AND THEN TO MY ISOLATION CELL IN 701 JAIL. I THEN CALLED MY FRIEND PETE AND FOUND OUT THEY CHANGED THE CHARGE TO AGG ASSAULT ON A FAMILY MEMBER AND SET ME A BOND AT \$30,000 WITHOUT GIVING ME A BOND HEARING OR APPOINTING ME AN ATTORNEY BUT ON JUNE 1, 2020, I RECEIVED A LETTER FROM MY COURT APPOINTED ATTORNEY DATED MAY 7, 2020, THAT WAS DELIBERATELY IMPEDED. I FILED A GRIEVANCE REGARDING THIS ISSUE BUT THE GRIEVANCE OFFICIAL ENTERED THE CONSPIRACY AND REFERRED IT TO INTERNAL AFFAIRS FOR INVESTIGATION INSTEAD OF RELEASING ME (ATW) TO IMPEDE MY EARLY RELEASE. THE MENTAL HEALTH PROVIDER CONTINUE TO RETALIATE AGAINST ME FOR REQUESTING PROGRAMS AND SERVICES THAT I AM ENTITLED TO BY INCITING INMATES TO HARASSMENT WITH DEGRADING GESTURES THAT LEAD INTO ONE VIOLENT FIGHT WITH INMATES AND ONGOING MENTAL AND EMOTIONAL DISTRESS.



My MAIL TO INTERNAL AFFAIRS WAS ARBITRARILY SENT BACK. FURTHERMORE I AM SUFFERING FOR DENYING ACCESS TO COURT, DENYING RECREATION, AND VIOLATIONS OF FOOD SERVICE AND REQUIREMENTS. NOTE ON MAY 12, 2020, I WENT TO MURDER/MANSLAUGHTER COURT AND WAS SERVED ANOTHER ASSAULT CHARGE IN THE SAME CAUSE NUMBER 2308185-2308186 IN RETALIATION OF ASSERTING MY RIGHTS AND FURTHER ATTEMPTS TO DEPRIVE ME OF MY FREEDOM IN VIOLATION OF DUE PROCESS OF LAW.

**HARRIS COUNTY SHERIFF'S OFFICE JAIL**

Name: Raymond E. CARL

SPN: 00700984 Cell: 6B2

Street 1200 BAKER ST

HOUSTON, TEXAS 77002



United States Courts  
Southern District of Texas  
JUN 12 2020  
David J. Bradley, Clerk of Court



David J. Bradley, Clerk  
P.O. Box 61010  
Houston, Tx 77208

**INDIGENT**